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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT TACOMA

9 MERT CELEBISOY,

10 Petitioner,

11 v.

12 KAREN BRUNSON,

13 Respondent.

No. C08-5739 FDB

ORDER ADOPTING REPORT AND  
RECOMMENDATION DENYING HABEAS  
PETITION AND DISMISSING ACTION

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15 This matter comes before the Court on the Report and Recommendation of the Magistrate  
16 Judge that Petitioner's request for habeas corpus relief be denied and the petition be dismissed  
17 with prejudice. The Petitioner has not filed objections to the Report and Recommendation.  
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19 As detailed by the Magistrate Judge, Petitioner's assertion of a right to have a certified  
20 court-appointed interpreter lacks merit as he has not met his burden to state a federal claim or  
21 show some clearly established federal law which the trial court violated or unreasonably applied.  
22 See Stevenson v. Lewis, 384 F.3d 1069, 1072 (9<sup>th</sup> Cir. 2004). Further despite a finding by the  
23 trial court that Petitioner's language skills were adequate for him to attend trial without an  
24 interpreter, the trial nonetheless retained an interpreter to aid Petitioner at trial.  
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26 As to Petitioner's other claim, it was not contrary to clearly established law for the

1 Washington court's to hold that the state courts could not resolve Petitioner's claim that Article  
2 36 of the Vienna Convention was violated when he was not provided an opportunity to contact  
3 his consul of origin.

4 The Court, having reviewed the petition for writ of habeas corpus, the response, the  
5 Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report  
6 and Recommendation, if any, and the remaining record, does hereby find and ORDER:  
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- 8 (1) The Court adopts the Report and Recommendation;
- 9 (2) Petitioner's writ of habeas corpus [Dkt. # 5] is DENIED and this action is  
10 **DISMISSED WITH PREJUDICE**; and
- 11 (3) The Clerk is directed to send copies of this Order to Petitioner, counsel for  
12 Respondent and to the Hon. Karen L. Strombom.

13 DATED this 10<sup>th</sup> day of August, 2009.

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18 FRANKLIN D. BURGESS  
19 UNITED STATES DISTRICT JUDGE  
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